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April 30, 2010

Chief, Section of Administration  
Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20024

Re: Docket No. AB-1036, *The City of Chicago, Illinois -- Adverse Abandonment -- Chicago Terminal Railroad in Chicago, IL*

Dear Section of Administration Chief:

I am writing on behalf of the Chicago Terminal Railroad ("CTM") in connection with the above-captioned adverse abandonment proceeding.

Recently, the adverse abandonment applicant the City of Chicago ("the City") and CTM reached a settlement agreement where the City agreed to purchase the railroad's property subject to the abandonment once the Board had approved the City's application. Accordingly, on March 26, CTM withdrew its protest and certain motions and, along with the City, requested that the abandonment be placed back on the docket for disposition. Additionally, both parties asked the Board to establish an expedited schedule for entertaining any protests and a rebuttal and to issue a decision effective upon service within 30 days of the close of the record. Consistent with that request, the Board issued a decision on April 13 setting a new expedited procedural schedule. However, it declined to grant the parties' request for issuing a decision within 30 days' of the close of the record because it said could not predict the complexity of the issues that might eventually be raised by commenters or protestants.

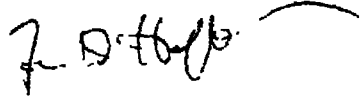
Yesterday marked the close of the record for protestants or other comments to submit their views. To date, just one party, Andrew Morris, has filed any comments and he submitted his views on March 18, 2010.

Counsel for the City has prepared a short rebuttal and is ready to submit it imminently. Mr. Morris appears to favor abandonment of one segment while opposing the abandonment of another segment. As the City correctly notes, there is a substantial question as to whether Mr. Morris even has any standing to protest this matter as he is neither a rail customer nor employed by a rail customer nor does he live near the rail line. To the best of CTM's knowledge, no one else has expressed any opinion on whether the line should be retained or abandoned.

Accordingly, CTM believes that the issues before the Board are very straightforward and lend themselves to a speedy decision. While the settlement agreement is very attractive to CTM, CTM can not receive the benefits conferred by the agreement until the Board approves the subject abandonment application. CTM desires to use the settlement proceeds to rehabilitate and or improve rail facilities on those portions of its line that are not subject to abandonment or for general corporate needs.

For these reasons, CTM urges that the Board expeditiously consider and approve the application within 30 days of the close of the record or on or about May 30, 2010, effective upon the date of service.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. D. Heffner", with a long horizontal flourish extending to the right.

JOHN D. HEFFNER  
*Attorney for Chicago Terminal  
Railroad*

cc: Joseph Dettmar, Esq. (by email)  
Thomas F. McFarland, Esq. (by email)  
Steven Holler, Esq. (by email)  
Mr. Edwin Ellis